

CRISTEL WARD,)
)
 Plaintiff,)
)
 v.) **NO. 2:17-cv-0047**
) **CHIEF JUDGE CRENSHAW**
 SHERIFF ODDIE SHOUPPE, DONNA)
 DANIELS, SAM BENNINGFIELD)
 and WHITE COUNTY, TN,)
)
 Defendants.)

Pending before the Court is Defendants' Motion for Partial Judgment on the Pleadings (Doc. No. 31), to which no opposition has been timely filed. Although the Motion represents that it is accompanied by a Memorandum, no Memorandum has been filed.


Since the filing of this action, on May 1, 2018, Tennessee Governor Bill Haslam signed into law Senate Bill 2133, which expressly forbids conditioning the length of any criminal sentence on

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an inmate submitting to any form of temporary or permanent birth control, sterilization or family planning services. Therefore, the misconduct alleged in the Complaint is now illegal by statute.

The Court recently analyzed these issues in the related case of Garrett v. Shoupe, Case No. 2:17-cv-0059. In Garrett, as here, the Plaintiffs actually received the Nexplanon implant. For the reasons stated in the Court's Memorandum Opinion and Order in Garrett at Docket Nos. 46 and 47, Defendants' Motion is **GRANTED in part**, and partial judgment is entered dismissing all claims against Defendant Benningfield and dismissing Plaintiff's claim for declaratory relief. The Court did not make a decision on injunctive relief in Garrett. Here, Defendants have not filed a Memorandum or any argument or authority concerning dismissal of the claim for injunctive relief. That portion of the Motion is **DENIED**.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE